

U.S. Department of the Interior
Bureau of Land Management
White River Field Office
220 E Market St
Meeker, CO 81641

Section 390

Categorical Exclusion for Oil and Gas Development

NUMBER: DOI-BLM-CO-110-2011-0135-CX

CASEFILE/PROJECT NUMBER: COC-60735

PROJECT NAME: Williams APD RGU 13-35-198

LEGAL DESCRIPTION: T1S-R98W-Sec.35-NESW

APPLICANT: Williams Production RMT Company LLC

BACKGROUND: The Federal RGU 23-35-198 well pad, access road, and pipeline route were permitted in 2007 following the [2006-252-Environmental Assessment's](#) Finding of No Significant Impact. Five gas wells have been drilled on the existing Federal RGU 23-35-198 well pad.

A well pad expansion and three additional Applications for Permits to Drill (APDs) on the existing Federal RGU 23-35-198 well pad were approved in 2010 ([2010-0248-DNA](#)). The approved pad expansion authorized 7.7 acres of total surface disturbance to accommodate the three additional and up to 22 gas wells.

DESCRIPTION OF PROPOSED ACTION:

Williams Production RMT Co. (Williams) has submitted one additional Application for Permit to Drill (APD) on the existing Federal RGU 23-35-198 well pad. No additional surface disturbance is proposed. No changes are proposed to the approved methods or materials for construction and reclamation approved following the Determination of NEPA Adequacy (2010-0248-DNA).

Decision to be Made: The BLM will decide to approve the APD and, if so, under what conditions.

PLAN CONFORMANCE REVIEW: The Proposed Action is subject to and has been reviewed for conformance with (43 CFR 1610.5, BLM 1617.3) the following plan:

Name of Plan: White River Record of Decision and Approved Resource Management Plan (ROD/RMP).

Date Approved: July 1, 1997

Decision Number/Page: Page 2-5

Decision Language: “Make federal oil and gas resources available for leasing and development in a manner that provides reasonable protection for other resource values.”

CATEGORICAL EXCLUSION REVIEW: The Energy Policy Act of 2005 (P.L. 109-58) prescribed five categorical exclusions (CX) for activities whose purpose is for the exploration of oil or gas.

The Proposed Action qualifies as a categorical exclusion under the Section 390 of the Energy Policy Act, #1: *“Individual surface disturbances of less than five acres so long as the total surface disturbance on the lease is not greater than 150 acres and site-specific analysis in a document prepared pursuant to the NEPA has been previously completed.”*

Documentation

The BLM NEPA Handbook (H-1790-1) and Instruction Memorandum 2010-118 provide specific instructions for using this CX.

1) Is surface disturbance associated with the Proposed Action less than five acres?

No surface disturbance beyond which has been previously approved is required at the location.

2) Is there less than 150 acres of surface disturbance, including the Proposed Action, on the entire leasehold?

The current unreclaimed surface of the 1,210 acre lease area (COC-60735) is approximately 25 acres.

3) Is the Proposed Action within the boundaries of an area included in a site-specific NEPA document? (The NEPA document must have analyzed the exploration and/or development of oil and gas (not just leasing) and the action/activity being considered must be within the boundaries of the area analyzed in the environmental assessment (EA) or environmental impact statement (EIS). The NEPA document need not have addressed the specific permit or application being considered.)

Two site-specific NEPA documents (2006-252-EA signed 1/5/2007 and 2010-0248-DNA signed 12/12/2010) have been prepared unique to the exploration and development of oil and gas activity at the RGU 23-35-198 pad location.

4) Is the Proposed Action in conformance with the land use plan?

Yes. See above for the land use plan conformance review.

5) Do any of the extraordinary circumstances in 43 CFR 46.215 apply?

Extraordinary Circumstance	YES	NO
a) Have significant adverse effects on public health and safety.		X
b) Have significant impacts on such natural resources and unique geographic characteristics as historic or cultural resources; park, recreation, or refuge lands; wilderness areas; wild or scenic rivers; national natural landmarks; sole or principal drinking water aquifers; prime farmlands; wetlands; floodplains; national monuments; migratory birds; and other ecologically significant or critical areas.		X
c) Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources.		X
d) Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.		X
e) Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects.		X
f) Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects.		X
g) Have significant impacts on properties listed, or eligible for listing, in the National Register of Historic Places as determined by either the bureau of office.		X
h) Have significant impacts on species listed, or proposed to be listed, on the List of Endangered or Threatened Species, or have adverse effects on designated Critical Habitat for these species.		X
i) Violate a Federal law, or a State, local or tribal law or requirement imposed for the protection of the environment.		X
j) Have a disproportionately high and adverse effect on low income or minority populations		X
k) Limit access to and ceremonial use of Indian sacred sites on Federal lands by Indian religious practitioners or significantly affect the physical integrity of such sacred sites.		X
l) Contribute to the introduction, continued existence, or spread of noxious weeds or non-native invasive species known to occur in the area or actions that may promote the introduction, growth, or expansion of the range of such species.		X

INTERDISCIPLINARY REVIEW:

The Proposed Action was presented to, and reviewed by, the White River Field Office interdisciplinary team on 6/14/2011. A list of resource specialists who participated in this review is available upon request from the White River Field Office. The table below lists resource specialists who provided additional remarks concerning cultural resources and special status species.

Name	Title	Resource	Date
Michael Selle	Archaeologist	Cultural Resources, Native American Religious Concerns	8/5/2011
Lisa Belmonte	Wildlife Biologist	Special Status Wildlife Species	7/26/2011
Zoe Miller	Ecologist	Special Status Plant Species	6/23/2011

REMARKS:

Cultural Resources: The Proposed Action is in an area that has been inventoried at the Class III (100 percent pedestrian) level by all or parts of at least three projects (Conner and Davenport 2006, Compliance Dated 9/18/2006, Reed et al. 2008 Compliance Dated 10/3/2008, Schwendler et al. 2008 Compliance Dated 2/11/2009). These inventories have not identified any cultural resources in the proposed project area or within 308 meters of the proposed project. The project will not impact any known cultural resources.

Native American Religious Concerns: No Native American Religious Concerns are known in the area, and none have been noted by Northern Ute tribal authorities. Should recommended inventories or future consultations with Tribal authorities reveal the existence of such sensitive properties, appropriate mitigation and/or protection measures may be undertaken.

Paleontological Resources: The proposed well is located in an area generally mapped as the Uinta Formation (Tweto 1979) which the BLM has identified as a PFYC 5 formation, meaning it is known to produce fossils of scientific interest (Armstrong and Wolny 1989). If it becomes necessary to excavate into the underlying sedimentary rock formation to construct the well cellar there is a potential to impact scientifically noteworthy fossils.

Threatened and Endangered Wildlife Species: There are no special status animal species that are known to inhabit or derive important use from the project area.

The proposed location is within 0.25 miles of a known Cooper's hawk nest which was active in 2010. Should drilling activities be delayed past March 15, 2012, the nest will need to be revisited to determine activity. If the nest is determined to be active, appropriate timing stipulations would apply.

Threatened and Endangered Plant Species: There are no special status plant species concerns.

MITIGATION:

See Appendix A for a list of mitigation measures carried forward from DOI-BLM-CO-110-2010-0248-DNA.

REFERENCES CITED:

Armstrong and Wolny

- 1989 Paleontological Resources of Northwest Colorado: A Regional Analysis. Museum of Western Colorado, Grand Junction, Colorado.

Conner, Carl E and Barbara J. Davenport

- 2006 Class III Cultural Resource Inventory Report for Seven Proposed Ryan Gulch Unit Well Locations and Related Access Routes in Rio Blanco County, Colorado for Williams Production RMT. Grand River Institute, Grand Junction, Colorado.

Reed, Karen, Chris Millington, Michelle Delmas, Matthew Bandy, Ryan Byerly, John Kennedy, Josh Tatman, Beau DeBoer, Todd Kohler, Rebecca Schwendler, George Connell, R. Ashley Fife, Lauren Frink, Scott Bowen, Michael J. Rettter, Vanesa Zeitz, Paul Burnett, Thomas A. Witt, Sean Doyle, Nicole Kromarek, Emily Bitterman, Caryn Berg, Jennifer Long, Courtney Higgins, Gina Clingerman, Erin Salisbury, Norma Crumbley, Carrie J. Riordan, Jason Burkard, Judy Cooper, Sara Baer, Scott Phillips, Zonna Barnes, Scott Slessman, and Anthony Lopez.

- 2008 Class III Cultural Resource Inventory of the Piceance Creek 3-D Geophysical Exploration Project Area, Rio Blanco County, Colorado. SWCA Environmental Consultants, Broomfield, Colorado. (08/127/09: SHPO #RB.LM.R1085)

Schwendler, Rebecca, Sarah Baer, Karen Reed, Scott Phillips, Scott Slessman, Matthew Bandy, Nicole Dromarek, Scott Bowen, Max Wolk, Caryn M. Berg, Paul Burnett, Tom Witt, Sean Doyle, Michelle Delmas, Michael Cregger, John Kennedy, Judy Cooper, Zonna Barnes, Amanda Cohen, Cynthia Manseau, Michael Retter, Dan Shosky, and Erin Salisbury.

- 2088 A Class III cultural Resource Inventory for the Ryan Gulch 3-D Geophysical Exploration Project, Rio Blanco County, Colorado. SWCA Environmental Consultants, Broomfield, Colorado. (09-127-01: SHPO #RB.LM.R1083)

Tweto, Ogden

- 1979 Geologic Map of Colorado. United States Geologic Survey, Department of the Interior, Reston, Virginia.

MONITORING AND COMPLIANCE: On-going compliance inspections and monitoring of drilling, production and post-production activities will be conducted by White River Field Office staff during construction of well pads, access roads, and pipelines. Specific mitigation developed in the associated Categorical Exclusion and the lease terms and conditions will be followed. The Operator will be notified of compliance related issues in writing, and depending on the nature of the issue(s), will be provided 30 days to resolve such issues.

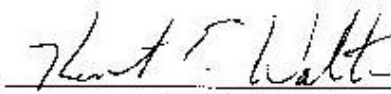
NAME OF PREPARER: Christina J. Barlow

NAME OF ENVIRONMENTAL COORDINATOR: Heather Sauls

COMPLIANCE WITH NEPA

The Proposed Action is categorically excluded from further documentation under the National Environmental Policy Act (NEPA) in accordance with Section 390 of the Energy Policy Act and additional guidance in Instruction Memorandum 2010-118. This categorical exclusion is appropriate in this situation because there are no extraordinary circumstances potentially having effects that may significantly affect the environment. The Proposed Action has been reviewed, and none of the extraordinary circumstances described in 43 CFR 46.215 apply.

SIGNATURE OF AUTHORIZED OFFICIAL:



Field Manager

DATE SIGNED:

06/05/2011

ATTACHMENTS:

Figure 1: Federal RGU 23-35-198 Location Map

Appendix A: Mitigation Measures

DOI-BLM-CO-110-2011-0135-CX



Appendix A: Mitigation brought forward from the DOI-BLM-CO-110-2010-0248-DNA.

A. Timing Limitations

- 1) The operator shall plan all activities and operations in a manner so as to avoid infringing on any timing limitations, without the need to apply for exceptions to the specified timing limitations.
- 2) Should construction associated with the pad expansion or drilling activities be delayed past March 15, 2012, a raptor survey (nest revisit) will be necessary to determine the activity of the Cooper's hawk nest. If the nest is determined to be active, no activity will be allowed from March 15 – August 15 or until fledgling and dispersal of young.

B. Pre-Construction Activities and Notifications

- 3) Natural Sodium lease holders shall be notified by the operator and informed of plans to drill wells at the 23-35-198 prior to the commencement of drilling activities.

C. Post-Construction Notifications

- 4) In an attempt to track interim and final reclamation of federal actions related to the development of federal mineral resources, the operator shall provide the *designated Natural Resource Specialist* with geospatial data in a format compatible with the WRFO's ESRI ArcGIS Geographic Information System (GIS) (e.g., GIS point and polygon features). These data will be used to accurately locate and identify all geographic as-built (i.e., constructed and design implemented) features associated with this project and included in the Application for Permit to Drill (APD) or Sundry Notice (SN), as appropriate.
 - These data shall be submitted within 60 days of construction completion. If the operator is unable to submit the required information within the specified time period, the operator shall notify the designated Natural Resource Specialist via email or by phone, and provide justification supporting an extension of the required data submission time period.
 - GIS polygon features may include, but are not limited to: full well pad footprints (including all stormwater and design features), constructed access roads/widths, existing roads that were upgraded/widths, and pipeline corridors.
 - Acceptable data formats are: (1) corrected global positioning system (GPS) files with sub-meter accuracy or better; (2) ESRI shapefiles or geodatabases; or (3) AutoCAD .dwg or .dxf files. If possible, both (2) and (3) should be submitted for each as-built feature. Geospatial data must be submitted in UTM Zone 13N, NAD 83, in units of meters. Data may be submitted as: (1) an email attachment or (2) on a standard compact disk (CD) in compressed (WinZip only) or uncompressed format. All data shall include metadata, for each submitted layer, that conforms to the *Content Standards for Digital Geospatial Metadata* from the Federal Geographic Data Committee standards. Questions shall be directed to WRFO BLM GIS staff at (970) 878-3800.

If the operator is unable to send the data electronically, the operator shall submit the data on compact disk(s) to:

BLM, White River Field Office

Attn: Natural Resource Specialist
220 East Market Street
Meeker, Colorado 81641

Internal and external review of the reporting process and the adequacy of the associated information to meet established goals will be conducted on an on-going basis. New information or changes in the reporting process will be incorporated into the request, as appropriate. Subsequent permit application processing may be dependent upon successful execution of this request, as stated above.

- 5) If for any reason the location or orientation of the geographic feature associated with the **Proposed Action changes**, the operator shall submit updated GIS “As-Built” data to designated Natural Resource Specialist within 7 calendar days of the change. This information shall be **submitted via Sundry Notice**.

D. Pre & Post-Drilling Notifications

- 6) The *designated Natural Resource Specialist* will be notified via email or phone 24 hours prior to well spud (breaking ground for drilling surface casing).
- 7) The *designated Natural Resource Specialist* will be notified via email or phone 24 hours prior to commencing completion operations.

E. Resource-Specific Mitigation During Construction, Drilling, and Production:

Air Quality

- 8) The operator will be responsible for complying with all local, state, and federal air quality regulations as well as providing documentation to the BLM that they have done so. To minimize production of fugitive particulate matter (fugitive dust) from associated access roads, vehicle speeds must not exceed 15 mph or dust plume must not be visible at appropriate designated speeds for road design. In addition, the application of a BLM approved dust suppressant (e.g., water or chemical stabilization methods) will be required during dry periods when dust plumes are visible at speeds less than or equal to 15 mph. Surfacing access roads with gravels will also help mitigate production of fugitive particulate matter. Land clearing, grading, earth moving, or excavation activities will be suspended when wind speeds exceed a sustained velocity of 20 miles per hour. Disturbed areas will be restored to original contours, and revegetated with a BLM preferred seed mixture.
- 9) Construction equipment will be maintained in good operating condition to ensure that engines are running efficiently. Vehicles and construction equipment with emission controls will also be maintained to ensure effective pollutant emission reductions.

Water

- 10) All surface disturbing activities on BLM administered lands will strictly adhere to “Gold Book” (fourth edition) surface operating standards for oil and gas exploration and development (copies of the “Gold Book” can be obtained at the WRFO). Corrugated metal pipes (CMPs) and drainage dips shall be located in such a manner as to avoid discharge onto unstable terrain such as headwalls or slumps. CMPs are not recommended on roads that have gradients less than 10 percent. Based on the nature of the affected soils, drain dips will be utilized in place of CMPs in these locations. The use of drain dips on road gradients greater than 10 percent should be avoided. Energy dissipaters such as large gravels/small cobbles will be used at culvert and drainage dip inlets/outlets to minimize additional erosion. To

mitigate water being channelized down the roadway, all activity will stop when soils or road surfaces become saturated to a depth of three inches. Mud blading will be prohibited in attempts to reduce further soil displacement (unless otherwise approved by the BLM).

- 11) Shallow aquifers shall be protected from hydrofracturing and the production of oil and gas by installation and cementing of surface and intermediate casing. Any groundwater produced from the Fort Union or Mesaverde Formations will be hauled off and disposed of due to poor water quality and therefore preventing adverse impacts to valuable surface and ground water resources. Environmentally unfriendly substances (e.g. diesel) must not be allowed to contact soils. The use of spill-guards (or equivalent spill prevention equipment) under and around pumping equipment will be required for all locations to intercept contaminants prior to contacting soils and infiltrating into groundwater. Furthermore, all pits shall be lined to protect shallow ground water from pit contents. All wastes associated with construction and drilling will be properly treated and disposed of.

Access

- 12) All roads shall be constructed and maintained by the operator per “Gold Book” standards.
- 13) All fences crossed by an access road to a well location, will have a cattleguard installed and maintained to BLM specifications for the lifetime of the project.
- 14) Mitigation to prevent or reduce soil loss from roadway and surrounding area will include restricting road access to authorized personal only (e.g. gate and sign access roads). The operator will be responsible for segregating topsoil material and backfilling of topsoil in its respective original position (last out, first in) to assist in the reestablishment of soil health and productivity. Erosion and sediment control measures will be installed on all slopes exceeding five percent to mitigate soil loss. Erosion and sediment control measures will be maintained until upland areas are stabilized.
- 15) Mud blading will be prohibited and all activity shall cease when soils or road surfaces become saturated to a depth of three inches unless otherwise approved by the BLM. All disturbed surfaces will be restored to natural contours and revegetated with a BLM approved seed mixture.

Wastes

- 16) To prove ownership of any aquifer contamination or drilling influence a fluorescent dye other than Rhodamin WT, will be added to all drilling fluids used through the Green River formation.
- 17) All lessees and/or operators shall comply with all federal, state and/or local laws, rules, and regulations, including but not limited to onshore orders and notices to lessees, addressing the emission of and/or the handling, use, and release of any substance that poses a risk of harm to human health or the environment.
- 18) Through all phases of oil and gas exploration, development, and production, all lessees and/or operators shall employ, maintain, and periodically update to the best available technology(s) aimed at reducing: 1) emissions, 2) fresh water use, and 3) the utilization, production, and release of hazardous material.

- 19) All substances that pose a risk of harm to human health or the environment shall be stored in appropriate containers. Fluids that pose a risk of harm to human health or the environment, including but not limited to produced water, shall be stored in appropriate containers and in secondary containment systems at 110 percent of the largest vessel's capacity. Secondary fluid containment systems, including but not limited to tank batteries shall be lined with a minimum 24 mil impermeable liner.
- 20) Where required by law or regulation to develop a plan for the prevention of releases or the recovery of a release of any substance that poses a risk of harm to human health or the environment, provide a current copy of said plan to the Bureau of Land Management's White River Field Office.
- 21) Construction sites and all facilities shall be maintained in a sanitary condition at all times; waste materials shall be disposed of promptly at an appropriate waste disposal site. "Waste" means all discarded matter including, but not limited to, human waste, trash, garbage, refuse, oil drums, petroleum products, ashes, and equipment.
- 22) As a reasonable and prudent lessee/operator in the oil and gas industry, acting in good faith, all lessees/operators will comply with the reporting requirements of Notice to Lessees-#3A; and, regardless of a substance's status as exempt or nonexempt and regardless of fault, will report all emissions or releases that may pose a risk of harm to human health or the environment, including the chemical composition of the substance, within 24 hours, to the Bureau of Land Management's White River Field Office at (970) 878-3800.
- 23) As a reasonable and prudent lessee/operator in the oil and gas industry, acting in good faith, all lessees/operators will provide for the immediate clean-up and testing of air, water (surface and/or ground) and soils contaminated by the emission or release of any substance that may pose a risk of harm to human health or the environment, regardless of that substance's status as exempt or non-exempt. Where the lessee/operator fails, refuses or neglects to provide for the immediate clean-up and testing of air, water (surface and/or ground) and soils contaminated by the emission or release of any quantity of a substance that poses a risk of harm to human health or the environment, the Bureau of Land Management's White River Field Office may take measures to clean-up and test air, water (surface and/or ground) and soils at the lessee/operator's expense. Such action will not relieve the lessee/operator of any liability or responsibility.
- 24) With the acceptance of this authorization, the commencement of operations under this authorization, or within thirty calendar days from the issuance of this authorization, whichever occurs first, the lessee/operator, and through the lessee/operator, its agents, employees, subcontractors, successors and assigns, stipulate and agree to indemnify, defend and hold harmless the United States Government, its agencies, and employees from all liability associated with the emission or release of substances that pose a risk to human health or the environment.

Reclamation

- 25) The operator will be required to monitor the project area for a minimum of five years post disturbance and eradicate all noxious and invasive species which occur on site using materials and methods approved in advance by the Authorized Officer.

26) To mitigate additional soil erosion at the well pad and potential increased sediment and salt loading to nearby surface waters, all disturbed areas affected by drilling or subsequent operations, except areas reasonably needed for production operations, shall be reclaimed as early and as nearly as practicable to their original condition and shall be maintained to control dust and minimize erosion. Interim reclamation of well pads and final reclamation of pipeline right of ways (ROW) on BLM administered surfaces will commence as follows:

- Debris and waste materials other than de minimus amounts, including, but not limited to, concrete, sack bentonite and other drilling mud additives, sand, plastic, pipe and cable, as well as equipment associated with the drilling, re-entry or completion operations shall be removed.
- Stockpiled topsoil and spoil piles will be separated and clearly labeled to prevent mixing during reclamation efforts.
- Stockpiled topsoil will be seeded with a BLM approved seed mixture. Topsoil stockpiles that will potentially remain in place for extended periods of time (e.g. multi-well locations) will be covered with biodegradable fabrics such as (but not limited to) jute netting or Curlex and seeded with the appropriated seed mixture.
- Stockpiled topsoil segregated from spoil piles will be replaced during reclamation in its respective original position (last out, first in) to minimize mixing of soil horizons.
- Stockpiled soils (spoil and topsoil) will be pulled back over all disturbed surfaces affected by pipeline/road construction, drilling or subsequent operations, except areas reasonably needed for production operations. Areas on well pads not needed for production operations shall be partially reshaped as early and as nearly as practicable to near pre-construction contours.
- The operator will ensure stockpiled topsoil is evenly distributed over the **top** of spoil used in recontouring/partial-reshaping efforts.
- Recontoured/partially-reshaped areas will be seeded with a BLM approved seed mixture, and all slopes exceeding 5 percent will be covered with wildlife friendly biodegradable fabrics (such as but not limited to Jute blankets, Curlex...) to provide additional protection to topsoil, retain soil moisture, and help promote desired vegetative growth.
- Following seeding and placement of biodegradable fabrics, woody debris cleared during initial construction will be pulled back over the recontoured/partially-reshaped areas to act as flow deflectors and sediment traps. Available woody debris will be evenly distributed over the entire portion of the reclaimed area and will not account for more than 20 percent of total ground cover.
- The operator will be responsible for excluding livestock grazing from all reclaimed portions of well pads. To eliminate livestock utilization of reclaimed areas prior to successful reclamation, a 4-strand BLM Type-D barbed wire fence with braced wooden corners or net wire fence brought to the ground surface built to BLM specifications will be constructed around all reclaimed portions of the well pad including cut and fill slopes immediately after interim reclamation is concluded (within two weeks) unless otherwise instructed by the BLM. A BLM specified cattle guard will be placed at the time of fence construction where the well access road bisects the fenceline that surrounds the well pad's disturbance imprint. Once reclaimed plant species are fully established on disturbed sites as determined by the BLM (e.g., Desired Plant Community (DPC), Public Land Health Standards), the fence and cattle guard will be completely removed by the applicant after a

minimum of two growing seasons. This will allow for reclaimed plant species to establish without grazing pressure from livestock.

- The operator will be responsible for achieving a reclamation success rate for interim reclamation and final abandonment (on all disturbed areas associated with well pads, pipelines, and access roads) of sufficient vegetative ground cover from reclaimed plant species within three growing seasons after the application of seed. Additional reclamation efforts will be undertaken at the operators expense if: after the first growing season there is no positive indicators of successful establishment of seeded species (e.g., germination); after the second year seeded species are not yet established (e.g., producing seed); and after the third growing season seeded vegetative communities lack persistence (e.g., reproductively capable of enduring drought conditions and sustaining the seeded community). Following the third growing season, ground cover of reclaimed seed species shall be at a Desired Plant Community (DPC) in relation to the seed mix as deemed appropriate by the BLM. Reclamation achievement will be evaluated using the Public Land Health Standards that include indicators of rangeland health. Rehabilitation efforts must be repeated if it is concluded that the success rate is below an acceptable level as determined by the BLM.

- 27) The operator will promptly revegetate all disturbed areas not necessary for production, including pad cut and fill slopes, with Native Seed Mix #3. Revegetation will commence immediately after construction and will not be delayed until the following fall. Debris will not be scattered on the pipeline until after seeding operations are completed.

Seed mixture rates are Pure Live Seed (PLS) pounds per acre. Drill seeding is the preferred method of application.

Seed Mix #3	PLS lbs/ac	Ecological Sites
Western wheatgrass (Rosanna)	2	Gravelly 10"-14" Pinyon/Juniper Woodland; Stony Foothills (Mountain Mahogany)
Bluebunch wheatgrass (Whitmar)	2	
Thickspike wheatgrass (Critana)	1	
Indian ricegrass (Rimrock)	2	
Fourwing saltbush (Wytana)	1	
Utah sweetvetch	1	
*Seed mixture rates are Pure Live Seed (PLS) pounds per acre. Drill seeding is the preferred method of application. Alternates: Needle and thread, American vetch, globemallow		

- 28) Upon final abandonment of the well pad, 100 percent of all disturbed surfaces will be restored to pre-construction contours, and revegetated with a BLM preferred seed mixture. Natural drainage patterns will be restored and stabilized with a combination of vegetative (seeding) and non-vegetative (straw bales, woody debris, straw waddles, biodegradable fabrics...) techniques. All available woody debris will be pulled back over recontoured areas (woody debris will not account for more than 20 percent of total surface cover) to help stabilize soils, trap moisture, and provide cover for vegetation. Monitoring and additional reclamation efforts will persist until reclamation is proven successful (as determined by the BLM).

- 29) All trees removed in the process of construction shall be purchased from the Bureau of Land Management. The trees on the access road and well pad shall be disposed of by chipping and scattering.
- 30) The operator will not prune trees along access routes.

Cultural and Paleontological Resources

- 31) The operator is responsible for informing all persons who are associated with the project operations that they will be subject to prosecution for knowingly disturbing historic or archaeological sites, or for collecting artifacts. If historic or archaeological materials are uncovered during any project or construction activities, the operator is to immediately stop activities in the immediate area of the find that might further disturb such materials, and immediately contact the authorized officer (AO). Within five working days the AO will inform the operator as to:
- whether the materials appear eligible for the National Register of Historic Places
 - the mitigation measures the operator will likely have to undertake before the site can be used (assuming in situ preservation is not necessary)
 - A timeframe for the AO to complete an expedited review under 36 CFR 800-11 to confirm, through the State Historic Preservation Officer, that the findings of the AO are correct and that mitigation is appropriate.

If the operator wishes, at any time, to relocate activities to avoid the expense of mitigation and/or the delays associated with this process, the AO will assume responsibility for whatever recordation and stabilization of the exposed materials may be required. Otherwise, the operator will be responsible for mitigation cost. The AO will provide technical and procedural guidelines for the conduct of mitigation. Upon verification from the AO that the required mitigation has been completed, the operator will then be allowed to resume construction.

- 32) Pursuant to 43 CFR 10.4(g) the operator must notify the AO, by telephone, with written confirmation, immediately upon the discovery of human remains, funerary items, sacred objects, or objects of cultural patrimony. Further, pursuant to 43 CFR 10.4(c) and (d), you must stop activities in the vicinity of the discovery and protect it for 30 days or until notified to proceed by the authorized officer.
- 33) The operator is responsible for informing all persons who are associated with the project operations that they will be subject to prosecution for knowingly disturbing paleontological sites, or for collecting fossils. If fossil materials are uncovered during any project or construction activities, the operator is to immediately stop activities in the immediate area of the find that might further disturb such materials, and immediately contact the authorized officer (AO). Within five working days the AO will inform the operator as to:
- whether the materials appear to be of noteworthy scientific interest
 - the mitigation measures the operator will likely have to undertake before the site can be used (assuming in situ preservation is not feasible)

If the operator wishes, at any time, to relocate activities to avoid the expense of mitigation and/or the delays associated with this process, the AO will assume responsibility for whatever recordation and stabilization of the exposed materials may be required. Otherwise,

the operator will be responsible for mitigation cost. The AO will provide technical and procedural guidelines for the conduct of mitigation. Upon verification from the AO that the required mitigation has been completed, the operator will then be allowed to resume construction.

- 34) All exposed rock outcrops in the proposed construction areas must be examined by an approved paleontologist and a report detailing the results of the inventory and any recommended mitigation measures, if necessary, shall be submitted to the BLM prior to the initiation of any construction.

F. Pre-Reclamation Notification

- 35) The *designated Natural Resource Specialist* will be notified 24 hours prior to beginning all reclamation activities associated with this project via email or by phone. Reclamation activities may include, but are not limited to, seed bed preparation that requires disturbance of surface soils, seeding, or constructing exclosures (e.g., fences) to exclude livestock from reclaimed areas.

G. Reclamation and Weed Management

- 36) All seed tags will be submitted to the *designated Natural Resource Specialist* within 14 calendar days from the time the seeding activities have ended via Sundry Notice. The sundry will include the purpose of the seeding activity (i.e., seeding well pad cut and fill slopes, seeding pipeline corridor, etc.). In addition, the SN will include the well or well pad number associated with the seeding activity, if applicable, the name and phone number of the contractor that performed the work, the method used to apply the seed (e.g., broadcast, hydro-seeded, drilled), whether the seeding activity represents interim or final reclamation, an estimate of the total acres seeded, an attached map that clearly identifies all disturbed areas that were seeded, and the date the seed was applied.

H. Information Sharing & Reclamation Monitoring

- 37) The Reclamation Status Report will be submitted electronically via email and as a hard-copy to WRFO Reclamation Coordinator, Brett Smithers (brett_smithers@blm.gov). Please submit the hardcopy to:

BLM, White River Field Office
220 East Market Street
Meeker, Colorado 81641
Attn: Brett Smithers

The Reclamation Status Report will be submitted annually for all actions that require disturbance of surface soils on BLM-administered lands as a result of the Proposed Action. Actions may include, but are not limited to, well pad and road construction, construction of ancillary facilities, or power line and pipeline construction. The Reclamation Status Report will be submitted by September 30th of each calendar year, and will include the well number, API number, legal description, UTM coordinates (using the NAD83 datum, Zone 13N coordinate system), project description (e.g., well pad, pipeline, etc.), reclamation status (e.g., Phase I Interim, Phase II Interim, or Final), whether the well pad or pipeline has been re-vegetated and/or re-contoured, percent of the disturbed area that has been reclaimed, method used to estimate percent area reclaimed (e.g., qualitative or quantitative), technique used to

estimate percent area reclaimed (e.g., ocular, line-intercept, etc.), date seeded, photos of the reclaimed site, estimate of acres seeded, seeding method (e.g., broadcast, drilled, hydro-seeded, etc.), and contact information for the person(s) responsible for developing the report. The report will be accompanied with maps and GIS data showing each discrete point (i.e., well pad), polygon (i.e., area where seed was applied for Phase I and/or Phase II interim reclamation or area reclaimed for final reclamation), or polyline (i.e., pipeline) feature that was included in the report. Geospatial data shall be submitted: for each completed activity electronically to the designated BLM staff person responsible for the initial request and in accordance with WRFO geospatial data submittal standards (available from WRFO GIS Staff, or on the WRFO website). Internal and external review of the WRFO Reclamation Status Report, and the process used to acquire the necessary information will be conducted annually, and new information or changes in the reporting process will be incorporated into the report.

- 38) The operator will be required to meet with the WRFO reclamation staff in March or April of each calendar year and present a comprehensive work plan. The purpose of the plan is to provide information pertaining to reclamation activities that are expected to occur during the current growing season. Operators shall also provide a map that shows all reclamation sites where some form of reclamation activity is expected to occur during the current growing season.

**U.S. Department of the Interior
Bureau of Land Management
White River Field Office
220 E Market St
Meeker, CO 81641**

DECISION

PROJECT NAME: Williams APD RGU 13-35-198

CATEGORICAL EXCLUSION NUMBER: DOI-BLM-CO-2011-0135-CX

DECISION

It is my decision to implement the Proposed Action, as mitigated in DOI-BLM-CO-2011-0135-CX, authorizing the permit to drill the RGU 13-35-198 well.

Mitigation Measures

See Appendix A of DOI-BLM-CO-2011-0135-CX for a list of mitigation measures carried forward from DOI-BLM-CO-110-2010-0248-DNA.

COMPLIANCE WITH LAWS & CONFORMANCE WITH THE LAND USE PLAN

This decision is in compliance with the Endangered Species Act and the National Historic Preservation Act. It is also in conformance with the 1997 White River Record of Decision/Approved Resource Management Plan.

PUBLIC INVOLVEMENT

Internal scoping was initiated when the project was presented to the White River Field Office (WRFO) interdisciplinary team on 6/14/2011. External scoping was conducted posting this project on the WRFO's on-line National Environmental Policy Act (NEPA) register on 6/15/2011.

RATIONALE

The Proposed Action is categorically excluded from further documentation under the National Environmental Policy Act (NEPA) in accordance with Section 390 of the Energy Policy Act and additional guidance in Instruction Memorandum 2010-118. This categorical exclusion is appropriate in this situation because there are no extraordinary circumstances potentially having effects that may significantly affect the environment. The Proposed Action has been reviewed, and none of the extraordinary circumstances described in 43 CFR 46.215 apply.

ADMINISTRATIVE REMEDIES

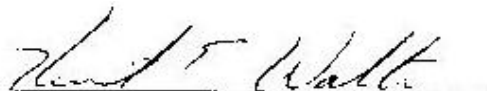
State Director Review

Under regulations addressed in 43 CFR 3165.3(b), any adversely affected party that contests a decision of the Authorized Officer may request an administrative review, before the State Director, either with or without oral presentation. Such request, including all supporting documentation, shall be filed in writing with the BLM Colorado State Office at 2850 Youngfield Street, Lakewood, Colorado 80215 within 20 business days of the date such decision was received or considered to have been received. Upon request and showing of good cause, an extension may be granted by the State Director. Such review shall include all factors or circumstances relevant to the particular case.

Appeal

Any party who is adversely affected by the decision of the State Director after State Director review, under 43 CFR 3165.3(b), of a decision may appeal that decision to the Interior Board of Land Appeals pursuant to the regulations set out in 43 CRF Part 4.

SIGNATURE OF AUTHORIZED OFFICIAL: _____


Field Manager

DATE SIGNED: _____

08/05/2011